

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF NEW YORK

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JAMES FISCHER,

Plaintiff,

v.

DEAN ERIC STIGLITZ,
LAURIE ANNE HERBOLDSHEIMER,
GOLDEN RULE HONEY, LLC

Defendant.
-----X

Case No. 15 CV 6266

Judge Nathan

**REPLY DECLARATION
IN SUPPORT OF
MOTION TO DISMISS
CLAIMS AGAINST STIGLITZ**

Dennis M. Perlberg, an attorney admitted to practice before this court declares,
pursuant to the provisions of 28 U.S.C. §1746, as follows:

1. I am a member of Speyer & Perlberg, LLP, counsel for Defendants in this matter. This declaration is submitted further support of the motion by Defendant, Dean Eric Stiglitz ("Stiglitz") to dismiss the complaint against him on the grounds that this court does not have personal jurisdiction over him.

2. Pending before this court is a motion to dismiss the complaint against Defendants, Laurie Ann Herboldscheimer ("Herboldscheimer") and Golden Rule Honey, LLC ("Golden Rule"), filed on December 5, 2015. The factual arguments raised in the opposition to the instant motion were anticipated, and with one exception, addressed in the December 5, 2015 motion. Therefore, Stiglitz hereby submits his affidavit in opposition to the December 5, 2015 motion as his reply to the instant motion.

3. The sole factual argument raised in Plaintiff's opposition to the instant motion, which was not addressed in the December 5th motion, was the statement in paragraph "h" on page 6 of 17 of Plaintiff's brief:

h) Employing Ms. Sennea Raslan as his "Sales Ambassador" for "Golden Rule Honey" from 2009 to 2013, including the period from Jul [sic] 2012 onward, when she was based in the NYC area, and continued to act as Defendant's agent in the greater NYC area (quoting her LinkedIn page).

4. Submitted herewith is the declaration of Sennea Raslan, which confirms that the statement in Plaintiff's paragraph h is misleading and that at no time was she the agent of Defendant, Golden Rule Honey, LLC, in New York.

5. Stiglitz respectfully requests that upon the original motion papers submitted for this motion on November 16, 2015 and upon his declaration, dated December 5, 2015, which is re-submitted in reply to the instant motion and upon the Declaration of Ms. Raslan and the Reply memorandum of law submitted herewith, that the complaint against Stiglitz be dismissed for lack of personal jurisdiction.

Dated: December 10, 2015



Dennis M. Perlberg